

Legislative Water Commission

Barb Huberty, Director

95 State Office Building St. Paul, MN 55155-1201 Phone: (651) 284-6431 Fax: (651) 297-3697 TDD (651) 296-9896

December 4, 2015
Room 5 State Office Building
Meeting Minutes

Member Present

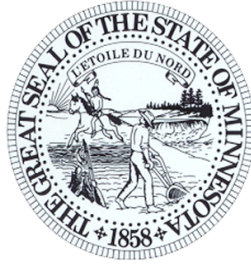
Sen Gary Dahms
Sen Carrie Ruud
Sen Bev Scalze
Sen Charles Wiger
Rep David Bly
Rep Peter Fischer
Rep Clark Johnson
Rep Paul Torkelson
Rep Matt Dean
Sen Matt Schmit

Members Excused

Rep Rod Hamilton
Sen Roger Chamberlain

Rep Paul Torkelson called the meeting to order at 10:04 am on Wednesday, December 4, 2015 in Room 5 of the State Office Building. A quorum was present.

1. Senator Dahms moved approval of the minutes for the November 4, 2015 meeting and Representative Fischer seconded the motion. THE MOTION PREVAILED.
2. Director Huberty addressed information provided by the DNR for two follow-up items from the November meeting:
 - Trout streams with non-native populations affected by appropriations permits
 - Details on denied and delayed water appropriations permits
3. Brad Redlin (MN Dept of Agriculture) provided an update on the Agricultural Water Quality Certification Program. Clarification was provided that the new BMPs adopted were not new technologies; rather, they were existing technologies that were newly applied to individual farms. A question was asked regarding what percentage of applicants did not follow-through with certification; MDA will follow-up on that. Clarification was also provided that the 700 applications referenced were not part of the pilot project; they are new applications resulting from extending the program statewide. Certification is for a 10-yr period, but a farmer can recertify at any time if significant operational changes are made.

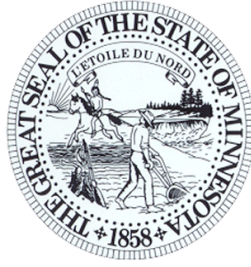


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4. Bruce Tiffany, a 4th generation farmer from Redwood Falls, made a presentation titled “Whose Water is it?”, emphasizing that it is in farmers’ best interests to use their water resources wisely as they harvest sunshine in the form of crops that feed highly populated and impoverished areas of the world. He acknowledged that he can’t control the rain, but that he has a responsibility to manage the water leaving his fields, listing the diverse practices he has in place, from buffers to manure management to bank stabilization. In response to being asked what policy recommendations he would make, Bruce replied that the Legislature should take it slow, make thoughtful decisions, without unintended consequences, particularly increases in food costs to the world’s poorest populations.
 5. Dale Setterholm, from the MN Geological Survey, presented information about MN’s County Geologic Atlas Program; Jan Faltiesek, who oversees the development of DNR’s hydrogeologic data for the atlases, was also present. Members were reminded that they had already received a handout with the County Atlas program details and their attention was directed to a new handout from DNR about the ages of water associated with appropriations permits. Three-dimensional, geologic mapping in both printed and digital formats is a fundamental tool needed to manage water effectively. Knowledge of surficial units where water enters the ground is as important as bedrock information and knowing how water moves between aquifers; not all bedrock units yield water. Since the start of the program, atlases have been used for many purposes and they are now the foundation of groundwater modeling. Well drillers have been submitting well logs, upon which the atlases are based, since the 1970’s. Clarification was provided about why atlas revisions are being completed: to provide better resolution (early atlases had sparser data points) and to provide hydrogeologic (Part B) atlases. MGS balances the work load between revisions and new atlases. A question was asked regarding the fact that drinking water is scarcer in SW MN and that part of the state doesn’t have atlases started or completed. MGS replied that it now has signed agreements with 5 of those counties and they have an older regional hydrogeologic assessment for that area that has been in use. It was noted that the completed counties serve the state’s population centers and covers about 85% of the state’s population. MGS acknowledged population centers and areas with vulnerable groundwater resources have been their initial priorities. A question was asked regarding coordination with adjacent states when boundary counties are completed. MGS indicated that this is planned, but that MN has better data than adjacent states.
 6. Randy Ellingboe, from the MN Dept of Health, explained MN’s Wellhead Protection Program; Steve Robertson, MDH, was also present. This program began in the 1990’s and early priorities focused on larger population centers and communities where groundwater supplies were vulnerable to land uses and rapid times of travel. Some communities take responsibility for their own modeling, using consultants, while other, smaller communities rely on assistance from MDH staff. Oftentimes,



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communities have wellhead protection areas (WHPAs) and drinking water supply management areas outside of their jurisdictional boundaries. Perham, Cold Spring and Worthington are examples where successful partnerships were established to address extra-jurisdictional concerns via outreach, easements, and land acquisition. It was clarified that there are no statewide requirements for WHPAs; any regulatory controls are established at the local level. Looking at accomplishments to date, some communities are doing a better job at addressing contamination than others. If there is little local staff effort and systems are in vulnerable hydrogeologic settings, then contamination may still be increasing. One member commented that comprehensive financial support is needed to complete these plans. MDH noted that one solution will be to find other land uses that make money and are more protective of groundwater, particularly in vulnerable areas. A concern was raised about pre-empting negative changes to surface water quality as forestland is converted to cropland, particularly in the Mississippi Headwaters area that supplies drinking water for St Cloud, Minneapolis & St Paul. MDH staff noted that this will be a challenge due to the size of that watershed and the amount of land held in private ownership; additionally, surface water intake plans are not required by law (but these three cities have them). A member noted that urban and public lands also impact water quality; MDH acknowledged that all citizens must understand the impact of their actions and take responsibility of them.

7. Members reviewed the wastewater issues presented to them, to date, and completed an exercise to select priority wastewater issues worthy of more in depth study. It was noted that these issues are hard to understand and the context lacks the issue of needed behavior changes, particularly in transferring exemplary solutions to more users. It was suggested that another approach could be used to assemble priorities by each member prior to the meetings. The co-chairs and director will discuss another approach prior to the February meeting.
8. Director Huberty reminded members that there would not be a January meeting and she gave an overview of expected meeting topics for the February meeting. She will send out a Doodle Poll to find a meeting date.

She also provided a brief update to members about the Governor's February Water Summit and solicited input as to how LWC members might like to be involved. Ms. Huberty will be meeting with the Governor's staff to discuss the Summit on 12/7.

There being no other business, the meeting adjourned at 12:03 pm.